



General Assembly

February Session, 2016

Raised Bill No. 5457

LCO No. 1534



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING LOCAL HEALTH DISTRICTS AND HEALTH DIRECTORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-244 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 On and after October 1, 2010, any person nominated to be the
4 director of health shall (1) be a licensed physician and hold a degree in
5 public health from an accredited school, college, university or
6 institution, or (2) hold a graduate degree in public health from an
7 accredited school, college or institution. The educational requirements
8 of this section shall not apply to any director of health nominated or
9 otherwise appointed as director of health prior to October 1, 2010. The
10 board may specify in a written agreement with such director the term
11 of office, which shall not exceed three years, salary and duties required
12 of and responsibilities assigned to such director in addition to those
13 required by the general statutes or the Public Health Code, if any. [He]
14 Such director shall be removed during the term of such written
15 agreement only for cause after a public hearing by the board on

16 charges preferred, of which reasonable notice shall have been given.
17 [He shall devote his entire time to the performance of such duties as
18 are required of directors of health by the general statutes or the Public
19 Health Code and as the board specifies in its written agreement with
20 him;] Such director shall serve in a full-time capacity, shall not engage
21 in private practice and shall act as secretary and treasurer of the board,
22 without the right to vote. [He] Such director shall give to the district a
23 bond with a surety company authorized to transact business in the
24 state, for the faithful performance of [his] such director's duties as
25 treasurer, in such sum and upon such conditions as the board requires.
26 [He] Such director shall be the executive officer of the district
27 department of health. Full-time employees of a city, town or borough
28 health department at the time such city, town or borough votes to form
29 or join a district department of health shall become employees of such
30 district department of health. Such employees may retain their rights
31 and benefits in the pension system of the town, city or borough by
32 which they were employed and shall continue to retain their active
33 participating membership therein until retired. Such employees shall
34 pay into such pension system the contributions required of them for
35 their class and membership. Any additional employees to be hired by
36 the district or any vacancies to be filled shall be filled in accordance
37 with the rules and regulations of the merit system of the state of
38 Connecticut and the employees who are employees of cities, towns or
39 boroughs which have adopted a local civil service or merit system
40 shall be included in their comparable grade with fully attained
41 seniority in the state merit system. Such employees shall perform such
42 duties as are prescribed by the director of health. In the event of the
43 withdrawal of a town, city or borough from the district department, or
44 in the event of a dissolution of any district department, the employees
45 thereof, originally employed therein, shall automatically become
46 employees of the appropriate town, city or borough's board of health.

47 Sec. 2. Section 19a-2a of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective October 1, 2016*):

49 The Commissioner of Public Health shall employ the most efficient
50 and practical means for the prevention and suppression of disease and
51 shall administer all laws under the jurisdiction of the Department of
52 Public Health and the Public Health Code. The commissioner shall
53 have responsibility for the overall operation and administration of the
54 Department of Public Health. The commissioner shall have the power
55 and duty to: (1) Administer, coordinate and direct the operation of the
56 department; (2) adopt and enforce regulations, in accordance with
57 chapter 54, as are necessary to carry out the purposes of the
58 department as established by statute; (3) establish rules for the internal
59 operation and administration of the department; (4) establish and
60 develop programs and administer services to achieve the purposes of
61 the department as established by statute; (5) enter into a contract,
62 including, but not limited to, a contract with another state, for facilities,
63 services and programs to implement the purposes of the department
64 as established by statute; (6) designate a deputy commissioner or other
65 employee of the department to sign any license, certificate or permit
66 issued by said department; (7) conduct a hearing, issue subpoenas,
67 administer oaths, compel testimony and render a final decision in any
68 case when a hearing is required or authorized under the provisions of
69 any statute dealing with the Department of Public Health; (8) with the
70 health authorities of this and other states, secure information and data
71 concerning the prevention and control of epidemics and conditions
72 affecting or endangering the public health, and compile such
73 information and statistics and shall disseminate among health
74 authorities and the people of the state such information as may be of
75 value to them; (9) annually issue a list of reportable diseases,
76 emergency illnesses and health conditions and a list of reportable
77 laboratory findings and amend such lists as the commissioner deems
78 necessary and distribute such lists as well as any necessary forms to
79 each licensed physician and clinical laboratory in this state. The
80 commissioner shall prepare printed forms for reports and returns, with
81 such instructions as may be necessary, for the use of directors of
82 health, boards of health and registrars of vital statistics; and (10)

83 specify uniform methods of keeping statistical information by public
84 and private agencies, organizations and individuals, including a client
85 identifier system, and collect and make available relevant statistical
86 information, including the number of persons treated, frequency of
87 admission and readmission, and frequency and duration of treatment.
88 The client identifier system shall be subject to the confidentiality
89 requirements set forth in section 17a-688 and regulations adopted
90 thereunder. The commissioner may designate any person to perform
91 any of the duties listed in subdivision (7) of this section. The
92 commissioner shall have authority over directors of health and may,
93 for cause, remove any such director; but any person claiming to be
94 aggrieved by such removal may appeal to the Superior Court which
95 may affirm or reverse the action of the commissioner as the public
96 interest requires. The commissioner shall assist and advise local
97 directors of health in the performance of their duties, and may require
98 the enforcement of any law, regulation or ordinance relating to public
99 health. When requested by local directors of health, the commissioner
100 shall consult with them and investigate and advise concerning any
101 condition affecting public health within their jurisdiction. The
102 commissioner shall investigate nuisances and conditions affecting, or
103 that he or she has reason to suspect may affect, the security of life and
104 health in any locality and, for that purpose, the commissioner, or any
105 person authorized by the commissioner, may enter and examine any
106 ground, vehicle, apartment, building or place, and any person
107 designated by the commissioner shall have the authority conferred by
108 law upon constables. The commissioner shall provide close
109 supervision and oversight to the local health departments. Whenever
110 the commissioner determines that any provision of the general statutes
111 or regulation of the Public Health Code is not being enforced
112 effectively by a local health department, he or she shall forthwith take
113 such measures, including the performance of any act required of the
114 local health department, to ensure enforcement of such statute or
115 regulation and shall inform the local health department of such
116 measures. In September of each year the commissioner shall certify to

117 the Secretary of the Office of Policy and Management the population of
118 each municipality. The commissioner may solicit and accept for use
119 any gift of money or property made by will or otherwise, and any
120 grant of or contract for money, services or property from the federal
121 government, the state, any political subdivision thereof, any other state
122 or any private source, and do all things necessary to cooperate with the
123 federal government or any of its agencies in making an application for
124 any grant or contract. The commissioner may establish state-wide and
125 regional advisory councils.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	19a-244
Sec. 2	<i>October 1, 2016</i>	19a-2a

Statement of Purpose:

To require the same time commitment to their duties for directors of district departments of health as is required of municipal health directors and to require the Department of Public Health to closely supervise and oversee local health departments.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]